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ABSTRACT

Work-related problems associated with employees who abuse alcohol and/or other drugs are briefly reviewed in this pamphlet to encourage employers to consider setting up a substance abuse program in their companies and businesses. The pamphlet then goes on to explain briefly each of five steps involved in developing a workplace substance abuse program: (1) writing a clear and comprehensive substance abuse policy; (2) training supervisors to detect performance problems that may indicate substance abuse; (3) educating employees about the program; (4) providing employee assistance through an employee assistance program; and (5) starting a drug testing program. Ideas are offered for taking each step. A resource list of organizations that can be contacted for help in establishing such a program is included, as is information on regulations that must be considered by employers dealing with some federal contracts or performing certain types of work. (NB)

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An Employer's Guide to Dealing With Substance Abuse

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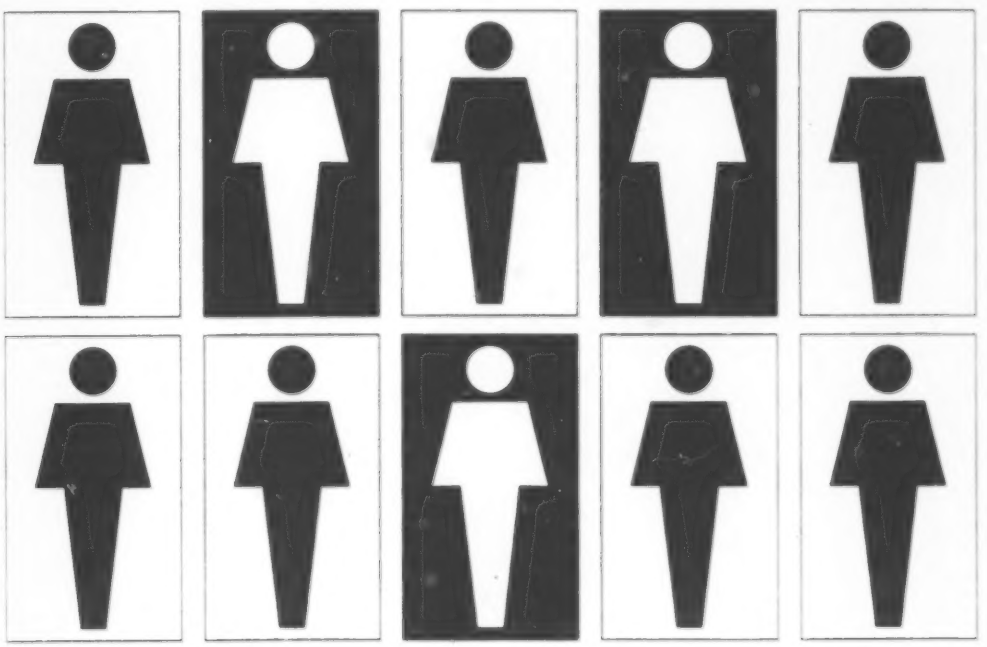

70% of All Illegal Drug Users Are Employed...

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An Employer's Guide to Dealing With Substance Abuse

Substance Abuse = $$$$$ Lost

If you're in business, you must face some facts:

- Seventy percent of all illegal drug users are employed either full- or part-time. This suggests over 10 million people are current users of illicit drugs.[1]
- One in twelve full-time employees reports current use of illicit drugs.[2]
- One in every ten people in this country has an alcohol problem.[3]

What do those numbers mean to you? They mean that every day, across this country, in towns large and small, from small businesses to large corporations, the problems of substance abuse are hurting the workplace.

And that means a major business problem for you. Because substance abuse affects the bottom line, it costs you money. How? Look how substance abusing workers compare to drug-free workers.

More: Workdays missed
Likely to injure self or others
Workers' compensation claims filed

Less: Productivity

That means **Real Dollar Costs** to you in all these areas:

Absenteeism	Insurance Claims
Sick Leave	Tardiness
Overtime Pay	Workers' Compensation

[1]National Institute on Drug Abuse
[2]National Institute on Drug Abuse
[3]National Institute on Alcohol Abuse and Alcoholism

But there are also **Hidden Costs** that drive up your bill for substance abuse:

- Diverted supervisory and managerial time
- Friction among workers
- Damage to equipment
- Poor decisions
- Damage to the company's public image
- Personnel turnover

How can you protect your company and your workers from those who, through the abuse of illegal drugs or prescription drugs or alcohol, endanger your workplace and your profits? **Establish a substance abuse program**.

How do you go about setting up a substance abuse program that is suited to the needs of your company? **Developing a comprehensive program involves five basic steps.** This pamphlet will explain briefly each step of that program. It will offer some ideas for taking each step. It will also give you a resource list of organizations you can contact for help. And it will give you information on regulations that you must consider if you are dealing with some Federal contracts or performing certain types of work.

Five Steps to a Workplace Substance Abuse Program

Five Basic Steps, One Step at a Time

- A written substance abuse policy
- A supervisory training program
- An employee education and awareness program
- Access to an employee assistance program (EAP)
- A drug testing program, where appropriate

Sound a bit overwhelming, especially if you have a small business? Take one step at a time. Read this pamphlet to see what you might be able to start with now. No program is set up all at once. And any effort on your part will begin to send the message that you are concerned about substance abuse and do not want it in your workplace. If you are worried about costs, check the resource section and note the help that is available to you free.

Think you don't need a program because you don't have a problem? Think you may not recognize the problem? Think of what tomorrow may bring. If your company has a policy about substance abuse, it sends a clear signal to present and future employees about where your company stands.

Measurable Costs – Hidden Costs – Public Liability: When you add up all the costs involved in ignoring the problem, can you afford not to set up a substance abuse program?

Fact: The percentage of employers with a formal written substance abuse policy grew by about 60 percent over the last 2 years.[4]

Step One: Writing a Clear and Comprehensive Policy

This all-important first step will outline where you stand, what you expect from employees, and what you will do if your policy is violated. But it does more than set

[4]Bureau of Labor Statistics

down the ground rules. It lets everyone know that you are committed to a drug- and alcohol-free workplace. And that in itself is an excellent starting point.

What exactly should your policy say? That depends on your individual situation. Businesses are not all the same. Nor are the employees who work for them. Your policy statement should reflect the needs and values of your workplace. To develop an individualized policy, consider everyone who will be affected.

Involve employees from all levels. Working together will build support for the policy you will develop. Use the guidelines below to focus discussions.

What Your Policy Should Do

- Let employees and applicants know that drug and alcohol use on the job, or that affects job performance, is not permitted.
- Explain why you are establishing the policy (workplace safety, worker health, product quality, productivity, public liability, etc.).
- Tell employees what will happen if they violate the policy.

Additional Points You May Want to Consider

- Outline your policy on the use of alcohol at company-sponsored activities.
- State your position on drug testing* and, if you test, the consequences of a positive test result.
- Describe the responsibility of an employee with a drug or alcohol problem to seek and complete treatment.
- Identify company or community resources where employees with problems can get help.

*Refer to the section on this topic.

- State your concern for family members whose substance abuse could adversely affect the well-being of the employee, the family, and the organization.
- Make clear that participation in an employee assistance program* is confidential and will not jeopardize employment or advancement, but that participation will not protect employees from disciplinary action for continued unacceptable job performance or rule violations.

Additional Tips

Check the **resource** section of this pamphlet. You can get tips on writing your policy, and even copies of model policy statements, by contacting the organizations listed. It may also be advisable to consult with an attorney to make sure your policy conforms to State and local requirements.

Once Your Policy is Written

Be sure to thoroughly explain the policy to your employees. It may be wise to have each employee acknowledge in writing that he or she has received the policy. Then, be fair and be consistent in applying the policy to all employees.

Step Two: Training Your Supervisors

Supervisors are the key to the successful working of your substance abuse policy. As the people in direct contact with workers, supervisors can detect performance problems that may indicate substance abuse. But their responsibilities should be limited, and that should be clearly explained to them.

*Refer to the section on this topic.

Supervisors Are Responsible For

- Observing and documenting unsatisfactory work performance or behavior
- Talking to employees about work problems and what needs to be done about them.

In order to do their jobs properly, supervisors must:

- Understand the substance abuse policy
- Be able to explain the policy to employees
- Know when to take action.

Supervisors Are NOT Responsible For

- Diagnosing substance abuse problems
- Treating substance abuse problems.

Supervisors need to know how to look for signs of substance abuse and what to do once they find them. The kinds of information needed by supervisors will vary from one workplace to another. For example, depending on what is available through your company and community, supervisors may be called upon to refer employees to employee assistance programs or to local resources. Keeping your own company's needs in mind, consider some of the following as possible topics to include in your supervisory training program.

Training Session Topics

- Information on specific drugs
- Methods of detecting drug and alcohol use
- Insurance coverage for substance abuse treatment
- Prevention and education strategies
- Background on drug testing issues and how the drug testing program relates to the EAP (employee assistance program).

Additional Tips

Use the resource list to contact organizations that can help in designing a supervisory training program. Additionally, supervisory training packages are available, as well as films, videotapes, and publications to help make your program interesting and informative.

Step Three: Educating Your Employees

You've established your policy. You've trained your supervisors. Now you must be sure your employees understand and remain aware of your ongoing commitment to a drug-free workplace. That means this part of your program is not a one-time thing. Whenever new workers are hired (or being considered for employment) they need to learn about your program. Current employees need to have reinforcement about your commitment to making your substance abuse program work. How you go about this will depend on the needs of your workers and your workplace.

An Employee Education and Awareness Program

- **Explains** your workplace substance abuse policy to your employees and tells them about the consequences of using drugs and alcohol — on or off the job
- **Tells** your employees how to get help with their drug and alcohol problems, including a description of services available to help employees by a representative of the employee assistance program* if the company has one, or by a community resource
- **Informs** employees on how drugs and alcohol actually affect the company's productivity, product quality, absenteeism, health care costs, or accident rates

*Refer to the section on this topic.

- **Explains** testing procedures — if drug testing* is part of the program — with special attention to the consequences of testing positive, and procedures for ensuring accuracy and confidentiality.

Getting Started

Consider the circumstances of your workplace and the needs of your employees. Education and awareness programs can vary widely. In addition to covering the topics listed above, you may want to "personalize" the program for your employees by offering information on some of the topics below.

Topics for Education Programs

- Videos or printed material on the health effects of alcohol and drugs — both illegal and prescription
- Local guest speakers to provide information on how drugs are affecting the community
- A presentation about illegal drugs: what they look like, how they are used, their effects, the symptoms of overdose and withdrawal
- Brown bag lunch meetings in which parents can learn how their own use of alcohol and drugs can influence their children's behavior, how to help other children avoid involvement in substance abuse, and how to recognize signs of substance abuse
- An address by company managers to employees on the specifics of the company policy and why it is needed.

Additional Tips

Use the resource list for contacting organizations that can help you in designing your program. Check resources for information on films, videotapes, and publications you can use in your program. Check your local community resources for possible presentations that are specifically geared to the needs of your locality.

*Refer to the section on this topic

Fact:
The percentage of employers with employee assistance programs has approximately doubled in the last 2 years.[5]

Step Four: Providing Employee Assistance

Employees are valuable resources. They are also human beings. And that means they have problems, problems that can affect their performance on the job. These problems can come from many sources: substance abuse, family difficulties, financial troubles, emotional upsets. To help employees deal with their problems, many companies set up an employee assistance program (EAP).

Why set up an EAP? Consider the following:

- Employees are a vital part of your business.
- It is better to offer assistance to employees with personal problems than to discipline or fire them.
- Recovering employees become productive and effective members of your workforce.

Indeed, many companies have found EAPs to be cost-effective because they:

reduce accidents reduce absenteeism raise productivity

How EAPs Can Help Employees

- **Identify** problems
- **Help** resolve problems through
  - Confidential, short-term counseling
  - Referrals
  - Followup services.

EAPs might also offer programs in supervisory training, education and prevention programs, and health promotion activities.

[5]Bureau of Labor Statistics

Getting Started

The first step is to determine the kind of program you need. You might want to talk with companies in your region or your industry that already have an EAP. Remember that EAPs take time to set up and to become effective. An EAP does not offer a "quick fix" solution. But companies who have spent the time and effort feel that the results have been worth it.

Almost Any Employer Can Offer EAP Services

Both large and small companies can start EAPs. There are many ways to set up an EAP:

- Your company or union may establish a program at or near the worksite.
- You may buy EAP services from an outside EAP provider.
- You may join together in a consortium to offer EAP services — good for small companies.
- You may work with a trade or local business association to start an EAP — good for small companies.

Additional Tips

Contact the Drug-Free Workplace Helpline listed in the resource section for model programs and guidance in setting up an EAP. Check community resources for referral programs and services. Check your local telephone directory under headings such as Alcohol/Drug Abuse Information, Treatment, or Counseling. Be sure to look in the blue pages (government listings and public service section), the yellow pages, and the community service section.

Step Five: Starting A Drug Testing Program

Starting a good drug testing program is not a simple process. But it can be done. Each year more companies,

including small companies, decide to start some kind of program. Some companies must set up a drug testing program because of the kind of work they do (see section on Federal Regulations). Others choose to test because it is the right business decision for them.

Before You Start Planning A Drug Testing Program

A drug testing program is the **last** step of a comprehensive program. You should have in place a program which includes all the previous steps described in this pamphlet: a written policy statement, a supervisory training program, an employee education and awareness program, and an employee assistance program. You will need to make sure that your drug testing program meets several requirements including:

- Statutory or regulatory requirements
- Disability discrimination provisions
- Collective bargaining agreements
- Any other requirements in effect.

Getting Started

You need to make a number of decisions about how your program will be set up and operated. The list of questions below will help you get started.

- Who will you test? (Only applicants? All employees? Only employees in 'safety sensitive' positions?)
- When will you test? (After all accidents? Only after some accidents? When performance becomes unacceptable? When an employee behaves abnormally? On a random basis? As part of a physical examination?)
- For what drugs will you test? (Only for marijuana and cocaine because they are the most commonly used illegal drugs? For all illegal drugs? For alcohol? For prescription drugs which may affect work performance?)
- How frequently will you test? (Weekly? Monthly? Once a year?)

- What will you do if an applicant tests positive? (Refuse to hire? Tell the applicant why you are not hiring him or her? Allow the applicant to be retested? Allow the applicant to reapply after 6 months?)
- What will you do if an employee tests positive? (Fire all employees who test positive? Refer employees to counseling and treatment after the first positive but fire after the second? Allow employees more than one chance to become drug-free before firing?)
- What tests will you use and what procedures will you follow? (Who will collect the specimens? Will you use a confirmation test? What laboratory will you use? Will you use a medical review officer? How will you protect the employees' privacy and confidentiality?)

You will probably want to consult a lawyer who knows about drug testing.

Be sure your drug testing program is fair, accurate, and legally defensible. Remember, it should be undertaken only as part of a **comprehensive** drug-free workplace program.

Federal Regulations

If your company performs certain types of work or if it has certain types of contracts with the Federal Government, you may have to comply with Federal regulations. These may require you to have in place some of the programs listed in this pamphlet.

Understanding the Drug-Free Workplace Act of 1988

The Drug-Free Workplace Act is a Federal statute requiring certain Federal contractors and grantees to maintain a drug-free workplace.

Who Is Affected

You are not covered by the Act unless:

- You have a single contract with the Federal Government of $25,000 or more
- You receive a grant from the Federal Government

Subcontractors and subgrantees are not covered by the Act.

What Is Required

If you are covered by the Act, you are required to:

- **Certify that you will provide a drug-free workplace**. This certification is part of the final contract or grant agreement and is a requirement for receiving the contract or grant.
- **Publish a statement** notifying your employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and what actions will be taken against your employees for violations.

- **Establish an ongoing, drug-free awareness program** to inform your employees of the dangers of drug abuse, your drug-free workplace policy, the availability of any drug counseling programs, and the possible penalties for drug abuse violations occurring in the workplace.
- **Require each employee** directly involved in the work of the contract or grant **to notify you of any criminal drug statute conviction** for a violation occurring in the workplace.
- **Notify the Federal Government** of such a violation.
- **Require the imposition of sanctions** or remedial measures for an employee convicted of a drug abuse violation in the workplace.
- **Continue in good faith** to comply with the above requirements.

What is not Required

The Drug-Free Workplace Act does not require you to:

- Establish an employee assistance program
- Implement a drug testing program.

Questions?

The best source of information about these regulations is the contract or grant office at the Federal department or agency from which you received your contract or grant. The Federal department or agency will also answer questions from prospective contractors or grantees.

Complying with the Department of Transportation Workplace Drug Abuse Regulations

The Department of Transportation (DOT) is one Federal agency with special requirements. We have included it because it concerns so many U.S. businesses.

The Department of Transportation issued regulations in November 1988 requiring employers engaged in commercial transportation industries regulated by DOT to implement workplace drug abuse programs.

What is Required

The regulations **require drug testing of employees in safety sensitive positions and drug abuse awareness education for supervisors and employees**. All drug testing must be conducted in accordance with procedures outlined in 49 CFR Part 40.

Who is Affected

Generally speaking, you must comply with the DOT drug abuse regulations if you have employees who:

- Perform flight crew member, flight attendant, flight instruction or ground instruction, flight testing, aircraft dispatch, aircraft maintenance or preventive maintenance, aviation security or screening, or air traffic control duties in commercial aviation
- Operate commercial motor vehicles in interstate commerce when (1) the vehicle has a GVWR of 26,000 or more pounds; or (2) the vehicle is designed to transport more than 15 passengers including

the driver; or (3) the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding

- Perform railroad services subject to the Hours of Service Act (45 USC 61-64b)
- Perform operating, maintenance, or emergency-response functions on a pipeline or liquid natural gas facility
- Are crew members on a commercial vessel licensed, certificated, or documented by the U.S. Coast Guard.

Compliance dates vary depending on the number of employees and the type of transportation services provided.

Questions?

For specific information about compliance with the DOT drug abuse regulations, contact the Department of Transportation, Office of the Secretary, Drug Enforcement and Program Compliance, Room 10200, 400 Seventh Street, SW., Washington, DC 20590, or phone (202) 366-DRUG.

Getting More Information

Workplace Substance Abuse Programs

The National Clearinghouse for Alcohol and Drug Information (NCADI) is a toll-free service funded by the Federal Government. NCADI's information specialists will help you find information on all aspects of substance abuse from videos and prevention materials, to specific program descriptions, resources in your state, and the latest research results. Many publications and educational materials are available free from NCADI. (1-800-729-6686)

The Drug-Free Workplace Helpline is a toll-free service funded by the Federal Government to assist business, industry, and unions on the development and implementation of comprehensive drug-free workplace programs. (1-800-843-4971)

Coordinators from the Drug Enforcement Administration, the Federal Bureau of Investigation, and the Law Enforcement Coordinating Committee offer a variety of technical assistance services to employers on workplace substance abuse. Contact your local DEA, FBI, or U.S. Attorney's office to locate the nearest coordinator and ask what type of assistance they offer.

Drug-Free Workplace Act

The **contract and/or grant administration office** of the Federal department or agency awarding a contract or grant can also answer questions about the provisions and requirements of the Drug-Free Workplace Act.

Department of Transportation Regulations

For specific information about compliance with the DOT drug abuse regulations, contact the Department of Transportation, Office of the Secretary, Drug

Enforcement and Program Compliance, Room 10200, 400 Seventh Street, SW., Washington, DC 20590, or phone (202) 366-DRUG.

State and Local Resources

The National Association of State Alcohol and Drug Abuse Directors (NASADAD) coordinates and encourages cooperative efforts between the Federal Government and State agencies on substance abuse. Through its Drug-Free Workplace Project, NASADAD is working through State substance abuse agencies to provide technical assistance to small businesses developing substance abuse programs and policies. NASADAD serves as a resource on State drug programs and can provide contacts in each state. Contact NASADAD, Drug-Free Workplace Project, 444 N. Capitol Street, NW., Suite 642, Washington, DC 20001, or phone (202) 783-6868.

State Drug and Alcohol Programs offices exist across the country. To find your state's office, you can call your State government, consult your local phone directory, or contact NCADI and NASADAD, listed above.

Community Organizations are available to help with drug or alcohol problems. Check your local telephone directory under headings such as Alcohol/Drug Abuse Information, Treatment, or Counseling. Be sure to look in the blue pages (government listings and public service section), the yellow pages, and the community service section.

* U. S. GOVERNMENT PRINTING OFFICE: 1990 — 262-289

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For additional copies of this brochure, or other resource materials on substance abuse, write or call:

The National Clearinghouse for Alcohol and Drug Information
P.O. Box 2345
Rockville, MD 20852
(301) 468-2600
or 1-800-729-6686 toll-free